

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KAVIN LEE PEEPLES,	:	Case No. 1:22-cv-227
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Elizabeth Preston
	:	Deavers
JOSEPH BIDEN,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 7)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Elizabeth Preston Deavers. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on May 12, 2022, submitted a Report and Recommendation. (Doc. 7). No objections were filed, and the time for doing so has expired.¹

The Court has reviewed the Report, is satisfied that there is nothing clearly erroneous or contrary to law on the face of the record, and accepts the Magistrate Judge's recommendations. Fed. R. Civ. P. 72.

¹ If anything, Plaintiff recognizes that this action is identical to another action and may be dismissed as duplicative. (Doc. 8). *Peebles v. Biden*, No. 1:22-cv-215-DRC-EPD (S.D. Ohio filed April 21, 2022). In that first-filed action, Judge Cole adopted the Magistrate Judge's Report and Recommendation, over Plaintiff's objections, dismissed the case, and judgment was entered on September 12, 2022. Plaintiff did not appeal that Order.

Accordingly:

- 1) Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A(b).
- 2) The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith and therefore **DENIES** plaintiff leave to appeal *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

Date: 10/28/2022

s/Timothy S. Black
Timothy S. Black
United States District Judge